

MINUTES
MOUNT VERNON CITY COUNCIL
JULY 20, 2015

The Mount Vernon City Council met July 20, 2015 at the Mount Vernon city Hall Council chambers with the following members present: Roudabush, Taylor, Thompson, and Hampton.

1. Call to Order. At 6:29 p.m. Mayor James Moore called the meeting to order.
2. Approval of Agenda. Mayor Moore announced changes to the agenda: agenda items #7 and 9 will switch order; that is #7 will now be #9, #9 will become 7. Motion to approve the amended agenda made by Hampton, seconded by Taylor. Taylor said she had an objection to the agenda; she objected to item #8/the Letter of Resignation of Council member William Niemi. In the letter Niemi asks that this be a permanent part of the minutes and that according to Taylor is inappropriate. Taylor continued saying the first part of the letter, the resignation was ok but the second part was a political statement and that is what she objected to. Hampton agreed with Taylor. Roudabush said he (Niemi) deserves to have his statement read. Mayor Moore asked City Attorney Robert Hatala to help. Hatala said he didn't think there were any rules about reading a letter from a council member. When asked Beimer recalled that other resignation letters have been read. Mayor Moore asked for a vote. Those voting for the letter to be read were Roudabush and Thompson. Those against were Taylor and Hampton. The letter will be read in its entirety and included in the minutes.
3. Consent Agenda. Motion made by Hampton, seconded by Thompson to approve the Consent Agenda. Carried all.

a. Approval of minutes of July 6 and July 13, 2015.

b. Claims for approval.

IKRAGENBRINK, CALVIN	LEGO/VIDEO MAKING CAMP-P&REC	600.00
ACREE, MADISON	DEPOSIT REFUND-WAT	41.18
AIRGAS INC	CYLINDER RENTAL FEE-PW	25.70
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	3,256.71
ALLIANT IES UTILITIES	ENERGY USAGE-POOL	1,417.84
ALLIANT IES UTILITIES	ENERGY USAGE-P&A	923.60
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	379.54
ALLIANT IES UTILITIES	ENERGY USAGE-FD	313.25
ALLIANT IES UTILITIES	ENERGY USAGE-RUT	313.02
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	111.48
ALLIANT IES UTILITIES	ENERGY USAGE-PD	99.39
ALLIANT IES UTILITIES	ENERGY USAGE-KMVL	40.39
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	3,743.98
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	3,163.29
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	1,487.49
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	503.96
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	110.72
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	53.05
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	44.07

ALLIANT IES UTILITIES	ENERGY USAGE-EMA	40.89
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	38.18
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	32.38
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	26.60
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	22.81
ALLIANT IES UTILITIES	ENERGY USAGE-EMA	21.57
ALLIANT IES UTILITIES	ENERGY USAGE-CEM	19.31
ANDERSON BOGERT ENGINEERS	HWY 1 & 1ST ST TRAFFIC LIGHTS	586.50
ARAMARK	RUGS-FD	50.00
ARAMARK	RUGS-FD	50.00
BALICEK, RITA	CLEANING SERVICE-P&A	75.00
BALICEK, RITA	CLEANING SERVICE-P&A	52.50
BALICEK, RITA	CLEANING SERVICE-PD,P&A	75.00
BAUMAN AND COMPANY	UNIFORMS-PW	236.00
BENHART, SHERRIE	CLEANING SERVICE-P&A	75.00
BENHART, SHERRIE	CLEANING SERVICE-P&A	52.50
BENHART, SHERRIE	CLEANING SERVICE-PD,P&A	75.00
BRADLEY HAUGE, CPA	PROFESSIONAL SERVICES-P&A	570.00
BRIDGES, ANTHONY	DEPOSIT REFUND-WAT	12.65
BURGE, ELLIS	DEPOSIT REFUND-WAT	27.48
BURROUGHS, RICHARD	CEMETERY MAINT	2,980.00
BURROUGHS, RICHARD	CEMETERY MAINT	1,664.00
CAREPRO PHARMACY	SUPPLIES-PD,POOL,P&REC	45.14
CARQUEST OF LISBON	VEHICLE MAINT-PW	394.46
CARQUEST OF LISBON	VEHICLE REPAIRS-FD	12.50
CEDAR RAPIDS TIRE	TIRES/HUSTLER MOWER-RUT,P&REC	274.22
CEDAR RAPIDS TIRE	TIRES/HUSTLER MOWER-P&REC	57.56
CENTURY LINK	PHONE CHGS-P&A	464.58
CENTURY LINK	PHONE CHGS-SEW	254.75
CENTURY LINK	PHONE CHGS-PD	103.79
CENTURY LINK	PHONE CHGS-FD	100.74
CENTURY LINK	PHONE CHGS-POOL	51.78
CENTURY LINK	PHONE CHGS-WAT	49.92
CENTURY LINK	PHONE CHGS-PD	35.75
COHN, HANNAH	DEPOSIT REFUND-WAT	67.22
COLE PUBLIC LIBRARY	SUPPORT	58,000.00
COMMUNITY BAND	SUPPORT	1,000.00
COMMUNITY DEVELOPMENT GROUP	SUPPORT	15,000.00
CR CR LC SOLID WASTE AGENCY	SHOP CLEAN UP-SW	1,788.67
CROWN TROPHY	SUPPLIES-P&REC	510.00
CUSTOM HOSE & SUPPLIES INC	SUPPLIES-WAT	45.82
DIESEL TURBO SERVICES	FRONT END/F250-PW	407.45
DIESEL TURBO SERVICES	HYD HOSE/'91 TRUCK	205.82
DIESEL TURBO SERVICES	AUGER BIT/SKID LOADER-RUT	56.25
ELAN	HERITAGE DAYS CANDY-PD	42.91
ESCH, BETH	SWIM LESSON-POOL	35.00
EVER-GREEN LANDSCAPE NURSERY	MULCH/MEMORIAL PARK-P&REC	1,800.00
EVER-GREEN LANDSCAPE NURSERY	RED MULCH-ECON DEV	120.00
FOREST, KATEY	SUPPLIES-POOL	176.02
FUTURE LINE TRUCK EQUIPMENT	CENTER PIN-RUT	465.80
GALLS INC	UNIFORMS-PD	163.00

GARY'S FOODS	CONC STAND-POOL	1,685.03
GARY'S FOODS	SUPPLIES-POOL	438.28
GOODLOVE, NATHAN	FIRE CHEIF PAY-FD	416.63
GORDON LUMBER COMPANY	BLDG SUPPLIES-POOL,RUT	233.86
GROUP SERVICES INC	INSURANCE-ALL DEPTS	27,518.43
HAWKEYE FIRE & SAFETY CORP	BRACKET-RUT	41.00
IDNR	ANNUAL WATER USE FEE-WAT	525.95
IIMC	ANNUAL MEMBERSHIIP-ALL DEPTS	155.00
INTERNATIONAL CITY COUNTY MGMT	MEMBERSHIP RENEWAL-ALL DEPTS	796.00
IOWA ONE CALL	LOCATES-WAT,SEW	68.40
IOWA SOLUTIONS INC	DBR BACKUP-ALL DEPTS	330.00
IOWA SOLUTIONS INC	QRTLTY MAINTENANCE-ALL DEPTS	150.00
IOWA SOLUTIONS INC	COMPUTER MAINT-PW	57.50
IOWA STATE UNIVERSITY	CERTIFICATION FEES-FD	100.00
IPERS	IPERS	38.90
JOE'S QUALITY WINDOW CLEANING	WINDOW CLEANING-P&A	110.00
JOE'S QUALITY WINDOW CLEANING	WINDOW CLEANING-P&A	110.00
KAMUS, SHELLIE	SWIM LESSON-POOL	40.00
KELTEK, INC	LIGHT/215-FD	726.71
KELTEK, INC	LIGHT/215-FD	54.15
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES	383.86
KROUL FARM GARDENS	BEAUTIFICATION	163.50
L.L. PELLING CO INC	COLD PATCH-RUT	1,027.04
L.L. PELLING CO INC	COLD PATCH-RUT	1,011.36
LANGES SINCLAIR SERVICE	FUEL-FD	63.26
LANGES SINCLAIR SERVICE	TIRE REPAIR-PD	17.00
LISBON MT VERNON AMBULANCE	SUPPORT	13,518.00
LYNCH FORD	WHEEL COVER-PD	55.44
M & K DUST CONTROL	FILL DIRT-RUT	175.00
MARTIN EQUIPMENT	METAL OIL HOSE/JD BACKHOE-PW	389.70
MENARDS	LED,SHOVEL-RUT	387.31
MENARDS	LED,SNOW FENCE-RUT	213.94
MENARDS	LED-RUT	34.99
MENARDS	LED-RUT	34.99
MENARDS	FLOOD LITE-RUT	19.98
MIDWEST BREATHING AIR LLC	HYDROTESTING-FD	365.00
MIDWEST SAFETY COUNSELOR	CALIBRATION-FD	30.00
MIRANDA DONNELLAN	INTERN-MVHPC	40.00
MONTICELLO EXPRESS	SWIM CARDS,HILITERS-POOL	37.55
MOORE MEDICAL CORP.	GLOVES-PD	143.08
MOORE, JAMES	MONTHLY MILEAGE-P&A	98.33
MOUNT VERNON ACE HARDWARE	SUPPLIES-ALL DEPTS	2,783.91
MOUNT VERNON ACE HARDWARE	SUPPLIES-FD	37.46
MOUNT VERNON AREA ARTS COUNCIL	SUPPORT	3,500.00
MOUNT VERNON LISBON SUN	ADS/PUBLICATIONS-ALL DEPTS	1,340.90
MOUNT VERNON LISBON SUN	CABLE TV/ONLINE	260.00
MOUNT VERNON LISBON SUN	ADS/PUBLICATIONS-P&REC	183.75
MOUNT VERNON POLICE RESERVES	SPECIAL EVENTS PAY-PD	94.00
MOUNT VERNON, CITY OF	DEBT SERVICE PYMTS-TIF	680,287.00
MOUNT VERNON, CITY OF	DEBT SERVICE PYMT-SEW	238,378.00
MOUNT VERNON, CITY OF	DEBT SERVICE PYMT-LOST II	212,050.00

MOUNT VERNON, CITY OF	DEBT SERVICE PYMT-WAT	108,282.00
MOUNT VERNON, CITY OF	DEBT SERVICE PYMT-LOST II	99,955.00
MOUNT VERNON, CITY OF	TRAFFIC LIGHT REPLACEMENT	55,186.04
MOUNT VERNON, CITY OF	PILOT TRANSFER-SEW	25,500.00
MOUNT VERNON, CITY OF	PILOT TRANSFER-WAT	25,500.00
MOUNT VERNON, CITY OF	ZERO OUT SIDEWALK FUND	18,844.73
MOUNT VERNON, CITY OF	POOL,ROOFING,SUPPLIES/CIP-TIF	15,656.53
MOUNT VERNON, CITY OF	TRANSER-SEW	15,000.00
MOUNT VERNON, CITY OF	TRANSFER-WAT	15,000.00
MOUNT VERNON, CITY OF	UR AMENDMENT	3,229.30
NEAL'S WATER CONDITIONING	WATER/SALT-ALL DEPTS	72.75
NETWORK COMPUTER SOLUTIONS	PRINTER REPAIRS-PD	50.00
P&K MIDWEST INC	HYD LINE/JD 311-RUT	79.99
PACE SUPPLY	WEED SPRAY-RUT,P&REC	907.30
PACE SUPPLY	GRASS SEED,MULCH-2014 STR BOND	1,659.70
PACE SUPPLY	NAIL DRAG-P&REC	583.00
PACE SUPPLY	HOME PLATE-P&REC	164.15
PAYROLL	PAYROLL	109,871.95
PISARIK, RON	JD BACKHOE TEETH-RUT	21.37
POOL TECH INC	CHEMICALS-POOL	567.00
POOL TECH INC	CHEMICALS-POOL	248.00
POOL TECH INC	O-RING-POOL	12.95
RIPKE, SUE	MILEAGE-P&A	17.83
SAM'S CLUB #8162	SUPPLIES-POOL	351.81
SANDERS, KATEY	POSTAGE-POOL	7.70
SANDRY FIRE SUPPLY LLC	EQUIP MAINT-FD	1,797.75
SCHIMBERG COMPANY	SUPPLIES-WAT	148.80
SE LINN COMMUNITY CENTER	SUPPORT	12,998.00
SIDERS, MATT	MONTHLY MILEAGE-P&REC	93.15
SIMPKINS, RICHARD	DEPOSIT REFUND-WAT	8.54
SPRINGER PEST SOLUTIONS CORP	PEST CONTROL-P&A	30.00
STAPLES ADVANTAGE	SUPPLIES-ALL DEPTS	88.83
STATE HYGIENIC LAB	TESTING-SEW	1,960.50
THOMPSON TRUCK & TRAILER INC	4300 INT'L/WATER PUMP,A/C-PW	1,976.76
TREASURER STATE OF IOWA	SALES TAX	5,794.00
UNITY POINT HEALTH	INVESTIGATION-PD	59.05
US CELLULAR	CELL PHONE-ALL DEPTS	557.07
US CELLULAR	CELL PHONE-PD	116.17
UTILITY SERVICE INC	YR 2 QUARTERLY PYMT-LOST II	12,449.08
VAN METER INDUSTRIAL INC	LED-RUT	122.21
VEENSTRA & KIMM INC	2015 STREET IMPROVEMENTS	31,121.11
VEENSTRA & KIMM INC	2015 SANITARY SEWER	8,802.34
VEENSTRA & KIMM INC	LISBON ROAD HMA OVERLAY	2,417.21
VEENSTRA & KIMM INC	WAGON PASS EVALUATION	1,972.63
VEENSTRA & KIMM INC	BYPASS AREA FUTURE UTILITY	567.00
VEENSTRA & KIMM INC	409 B AVE GEOTHERMAL PERMIT APP	303.00
VEENSTRA & KIMM INC	SIDEWALK REPAIR PROJECT	252.00
VEENSTRA & KIMM INC	HWY 30 BYPASS COORDINATION	149.00
VEENSTRA & KIMM INC	NATHAN MORRISON LOT EXTENSION	126.00
VETERANS MEMORIAL FUND	SUPPORT	5,000.00

VOZENILEH, MAGGIE	DEPOSIT REFUND-WAT	26.78
WAPSI WASTE SERVICE	GB,RECY,LEAF-SW	22,423.65
WAPSI WASTE SERVICE	DRUG DROP OFF BOX-SW	92.55
WENDLING QUARRIES	LIME/BALL FIELDS-P&REC	167.76
WENDLING QUARRIES	BACKFILL-RUT	103.61
WENDLING QUARRIES	LIME-ANIMAL CONTROL	24.14
WEX BANK	FUEL-PD,PW	1,455.33
WEX BANK	FUEL-PW	904.14
WILBUR, HANNAH	DEPOSIT REFUND-WAT	109.76
	TOTAL	1,906,848.39

- c. Approval of one day outdoor service license for Chameleon's Pub & Grub on July 24, 2015 during RAGBRAI.
 - d. Approval of Change Order #1, Lisbon Road HMA Overlay, L.L. Pelling Company, Inc: \$150.00.
 - e. Approval of Pay Estimate #1, Lisbon Road HMA Overlay, L.L. Pelling Company, Inc: \$104,412.49.
4. Open forum: each citizen limited to 5 minutes per discussion item.
5. Mayoral appointment of new Mayor Pro Tem. Mayor Moore appointed Eric Roudabush as mayor protem.
6. Mayor's comments. Mayor Moore stated that he wanted to clarify a few statements that were made at Monday's (7-13-15) meeting. Phase 1 of the Sidewalk Project was never completed because the council at that time failed to let the contract. Also, the next time council wants to change the seating it should be discussed amongst themselves first and not a spur of the moment walk off the podium.
7. Discussion and possible action on employee handbook regarding employment of relatives of city officials. Mayor Moore said that we've known this since Francesca was on council. There has to be a paper trail on this because of the phone calls he has received. His recommendation to Council would be to leave everything the way that it is now but if Francesca chooses to run, to which Francesca injected that she wasn't running, Mayor Moore said then the problem will be solved in five months. Hatala read from the City's Employee Handbook; "If an employee's relative is elected to the City council or a Mayor, the employee shall not be terminated by reason of this policy but will be required to take a leave of absence without pay while the relative is holding office". Francesca is the aunt of Meridith Hoffman. If the policy was followed Meridith Hoffman would be placed on unpaid leave of absence until the end of Francesca's term despite the fact that Meridith was employed by the City before Francesca ran for office. This may conflict with the union contract. Hampton asked why this is being questioned now. Mayor Moore explained it is because of a phone call he got after Monday night's meeting. He did not know who called as they did not give their name and the phone number was "restricted" but because it was brought to his attention he needs to act on it and have a paper trail. Thompson asked why the mayor didn't refer them to the city administrator. Mayor Moore said because he got the phone

call and he threatened him. Thompson asked why he threatened him. Mayor Moore replied because this wasn't taken care of "quite a while back". When asked what the threat was Mayor Moore said that "we better do something". Thompson asked why he didn't contact the city attorney to which Hatala said he did. Rather than not doing anything for five months Hatala said more consideration should be given to whether or not this is a good rule or not. The State has a statute that directly covers this. Roudabush said the reason the City has this is because at one time there was a husband, wife and son that worked for the City. His suggestion was to the City revert to the State Code and then at the first of the year the new Council look at it and decide what they want to do with it. Thompson said she thinks the City should have a clarified policy where if somebody makes an accusation against an employee that is not an appointed public official it needs to go to that persons' direct supervisor; employees need to feel safe. Taylor and Hampton agreed. Taylor encouraged the person who made the call to the Mayor to call her and she won't tell who they are. Roudabush made a motion to revert to the State Code until the first of January, 2016 and let the new council deal with this as they see fit. Beimer said that in the minutes of December 19, 1994 it says that the handbook does not supersede the existing contract therefore the contract trumps the handbook. Chief Winder said there is a procedure already in place for taking complaints and requesting action be taken. These forms are called Request for Action forms and anyone can get one right outside the City Hall window. So anyone who gets a call at home should be directed to fill out one of these forms. Chief Winder says that if he gets a complaint about one of his officers he will not act on it unless they fill out the form explaining exactly what took place. Hatala reminded Council that there was a motion made but not a second. Roudabush said that if union contract trumps the handbook there isn't any reason to. Hatala replied that the reason to second it is he could make an argument that it doesn't (trump the handbook) or if it does trump it and but doesn't really apply to anybody anyway than get rid of the confusion. Taylor agreed that it should be stricken from the handbook. Roudabush made a new motion saying that the City make a new resolution that says they will revert to the State Code. Thompson seconded the motion. Roll call vote. Motion passes 4-0.

8. Announcement of Letter of Resignation from Council member William Niemi and Certificate of Appreciation; establish process to fill vacancy of unexpired term ending December 31, 2017. Thompson read: On July 16, 2015 Beimer accepted the letter of resignation from Council member Niemi. Niemi asked that the following statement be included in the minutes; To my neighbors in Mount Vernon, I will be unable to finish my term on City Council due to health and other personal concerns. It has been an honor and privilege to serve you. Thank you for trusting me with this responsibility.
During my 18 months on Council, I feel that we raised the awareness of the importance of fiscal responsibility and struck a reasonable balance between our wants and our needs. In August of last year we changed the prevailing concept of what a sustainable community center can be in a city of 3500 permanent residents. There are still possible viable options and I am gratified that people have a better understanding of the project's financial implications. We need more work to explore the financial impact of the various options on our budget, and the Wellness Center Committee should reconvene with broader representation from the community to determine what we can afford. Any decision to raise your property taxes for the community center will require a

public vote with a 60% margin, so the voters will have the final say on what kind of community center we want, if any.

Soon the City will be electing 4 new Council members and a mayor. Eric Roudabush will be the only holdover on Council and we would do well to elect at least 2 more fiscal pragmatists.

Whoever we elect will need our support and feedback to let them know our priorities.

Special thanks to those who worked hard to help with my election campaign. Many thanks also to City staff, Chief of Police Mark Winder and the entire force, and especially to City Administrator Mike Beimer who will be retiring soon. You all do admirable work and have been a great help to me during my term of service.

Best wishes to all. Bill Niemi.

Hatala was asked what the options are for filling Niemi's chair. Council can appoint someone to fill the position. If appointed they only fill it until the next regular election which would be November or 162 signatures can petition for a special election. Hatala said his personal opinion was that the regular election is not that far away so by the time a special election is set up it will be close to the regular election anyway. Taylor added that there will be costs of \$2,800-\$3,000.00 to hold a special election. Hampton asked who the "runner up" was in the last election to which he was told it was Marty Christensen. Taylor made a motion to appoint Marty Christensen. Hatala said that what has to happen is that Council needs to say what they are intending to do; appoint or election of new member and then a notice has to be published before the appointment. Thompson said that a 2.5 year term is a long time. She said she thought there would be many people interested in filling a short period of time until the next election but appointing someone for a longer period of time would be taking the public's vote away. Mayor Moore asked if Council appoints someone but a resident gets the signatures needed does that force an election to which Hatala said it does. Taylor said the earliest a special election could be held would be September 26th. Taylor asked several term questions to which Hatala said he did not want to guess and would get the answers. Roudabush said whether or not this person gets a month or more it gives the impression that they are an incumbent and it's unfair to whomever is running to go against that person; it's hard for an incumbent to get voted out. Hampton made a motion to appoint someone to seat vacated by Bill Niemi, seconded by Taylor. Those voting for appointment were Taylor and Hampton. Those voting for a special election were Roudabush and Thompson. Motion fails.

9. Discussion and possible action on handling, disposal and sale of scrap metal collection for Mt. Vernon bulky item disposal. Hatala said that there were questions raised about Mount Vernon's bulky item drop-off scrap metal disposal for the year 2014. In 2013 there was scrap metal the City sold and received about \$500.00. In 2014 the issues that came up because the scrap metal was sold by Jimmy Moore, the Mayor's son. The question is whether or not that was appropriate. In 2015 the City sold the scrap metal and received about \$500.00. In 2014 the amount was reduced from the previous year and this year from \$500.00 to about \$182.00 and gives an approximate price range. The present status is that Jimmy Moore has agreed to pay the difference (whatever that is) of value of the scrap in order to get the matter resolved. There would be no admission of wrong doing. The alternative is to hire someone for a more thorough investigation and come to some recommendation or to ask the State or City's auditor to look at it. Thompson

said that when this started Bill (Niemi) talked to her and asked if there was an agreement and Jim had said yes, there was an agreement with the City, the city administrator knew about it. They then talked to Mike (Beimer) who said there was not an agreement. At that point they talked to Hatala. Thompson and Niemi found they could not get answers to all the questions they had and felt as though they had to bring the matter to the full Council. Thompson said the question for Council is do they accept the check from Jimmy or do they look into it further. Thompson said she is not comfortable with a check and feels as though it should be investigated further. Taylor supported Thompson and called it a mishandling of trust/illegal. Hampton agreed and suggested that a policy be put in place to prevent this from happening again. Attorney Guy Booth said he represents Jimmy and wanted to expand on the history as he knew it. In 2012 the City asked Jimmy to get rid of all the appliances and scrap; he was totally in charge and the City did not ask for any compensation. In 2013 the City decided there may be some value in that and took care of it themselves. In 2014 someone from the City asked if it (scrap metal) could all be dumped on Jim Moore's property and they could handle it because we (the City) did not want to incur any expense and that is what Jimmy did. What is different is that at the east end of the Moore property there are always appliances there because Jimmy has a small scrapping business. In 2014 when the City asked that all appliances be placed on the James Moore property Jimmy agreed; he thought he was operating under the 2012 protocol and obviously there wasn't a discussion as to what happens to the material that came in that Saturday morning because it mixed with the material that was already there. After this came up as an issue they tried to come up with a percent that would have been the City's. Jimmy agreed to compensate the City if they wanted to be compensated for that scrap but added he would never do this for the City again, let them use that property or do any of the work. He does not want this to erupt into some ongoing controversy of wrong doing. Roudabush said that he has been to Jim's property and knows that people drop off old appliances for him to dispose of; all the material that was there was not bulky item drop-off material. Thompson said the point is that the City didn't have an agreement that year according to the city administrator. Roudabush said there wasn't a contract in 2012, why would there be one in 2014? Hampton said that clearly there is fault on both sides and the City needs a policy to prevent this from happening again and didn't feel it is worth the time to sort out something that has passed. Taylor asked about consulting the State Auditor because she doesn't feel comfortable being a judge or being an attorney and asked what costs would be involved. Hatala said he didn't know if there would be any costs but added that the code says that if there are significant financial irregularities they are supposed to be reported to the auditor but said he didn't know what "significant" is. Thompson made a motion that this be sent to the State Auditor, seconded by Taylor. Voting for the motion was Thompson and Taylor. Voting against was Roudabush and Hampton. The motion fails. Hatala said the other option was to accept a payment. Hampton asked what's to stop someone in the audience from contacting the State Auditor themselves; why does it have to be a council member to which Hatala said he doesn't think it does. Beimer said he would look into drafting a new resolution policy on scrap metal during drop off day.

10. Announcement of no public hearing on reallocation of funds previously set for August 3, 2015. Mayor Moore announced that there will not be a public hearing regarding the LOST III reallocation of funds.
11. Discussion and possible action on respect and civility during Council meetings. Hampton said that he received an email regarding a workshop for Council conduct at meetings. With an open council seat Hampton said it probably wasn't a good time to pursue and reminded all to be more respectful to each other. No action taken.
12. Discussion and possible action on moving Council bench off elevated dais to floor level. Mayor Moore said that a problem with that would be the wiring for the microphones. Beimer said that the City employees should not be asked to do this as someone could get hurt due to the weight of the bench. Thompson said she had a concern about this because the elevated dais is not ADA compliant. Roudabush pointed out that a ramp could be installed. Taylor said that she has heard comments from residents about feeling uncomfortable when speaking to an elevated Council. From a reporters point of view it is easier to see an elevated council. Taylor said that she would be comfortable lowering the dais a bit but would like to have more discussions before any decisions are made. Hampton called this "old school" but added individuals in the back would not be able to see council if they were on the same level. Beimer suggested putting off any decision until the new council is seated. Council agreed. Chief Winder said that he believes the dais should be kept at the level that it is because as elected officials they deserve respect and should be elevated. Plus those who have to sit in the back of room would have a difficult time seeing and hearing them if they were not elevated. He personally did not think the City should spend any more money on an already nice setup. Council decided to leave dais as is.
13. Discussion and possible action on formation of ad hoc Sustainability Advisory Committee. Taylor explained that at the last regular council meeting (7-6-15) Beimer said there may be some funding available regarding storm water issues and FEMA grants. She said that she spoke to ECICOG and found out that they have two programs; a pre-disaster mitigation (PDM) grant program and a hazard mitigation (HMGP) grant program. This year the PDM has a limited amount of money; only \$300,000.00 for the entire state of Iowa and has already been ear-marked for different projects. The idea with the HMGP is that funds are available after a declared national disaster. These grants would be great for the City as they would only cost 15%. FEMA picks up 75% of the costs and the State 10%. The suggestion was that the City go forward with their plans for storm water projects and have it ready to go. Once this is complete the City should contact ECICOG and see if there are other grants that would be available or if there is going to be any PDM money available. Beimer added that agenda item #18 is the type of project that may qualify. Taylor was tasked at the meeting with the mission statement and the scope of what the committee would be. The mission statement at this point is "To provide vision and advice on City projects and improvements in order to create a more sustainable community in Mount Vernon". Their purpose is to look over projects and make recommendations. This will be a nine member advisory committee and one council member acting as the liaison. Taylor made a

motion to accept the creation of the ad hoc Sustainability Advisory Committee, seconded by Hampton. Carried all.

At this time Hampton left the meeting, 8:04 p.m.

14. Mayoral recommendation and possible Council approval to fill vacancy of unexpired term on Historic Preservation Commission. Mayor Moore recommended that Mary Evans be appointed to the MVHPC. Taylor explained that because of the rules of the Commission the MVHPC recommendation could not be honored. Council agreed with the Mayor recommendation.
15. Discussion and possible action on approval of engagement letter for audit services from Clifton Larson Allen for FY2015. Beimer stated that CLA have been doing the City's audit since the 1980's and recommended that they do the City's FY15 audit. The fees for the FY15 audit will be \$16,150.00. Roudabush made a motion to approve the engagement letter from Clifton Larson Allen for FY2015, seconded by Thompson. Motion carried. Absent: Hampton.
16. \$375,000 General Obligation Capital Loan Notes, Series 2015.
 - a. Discussion and possible action on Resolution #7-20-2015A: A Resolution naming substitute Registrar and Paying Agent. Beimer explained that this resolution corrects a previous resolution that named the incorrect Registrar and Paying Agent. Resolution #7-20-2015A removes Bankers Trust Company and names the City Treasurer as the successor Registrar and Paying Agent for the Notes. Motion to approve Resolution #7-20-2015A made by Taylor, seconded by Roudabush. Roll call vote. Carried all. Absent: Hampton.
17. Police Report. There were five crashes in the month of June. Sgt. Shannon and Officer Gehrke assisted in a multi-agency enforcement project that took place along I-380 at the Brandon scale. Preparation for RABRAI continues. Heritage Days went very well with only a few arrests.
18. Public Hearing on proposed plans and specifications, proposed form of contract and estimate of cost for construction of 2015 Street Improvements for the City of Mount Vernon, Iowa and the taking of bids therefore. Discussion and possible action. Taylor made a motion to open the public hearing, seconded by Roudabush. Carried all. Absent: Hampton. Dave Schechinger stated that this public hearing is for the construction of 3rd Avenue NW from 1st Street to 6th Street as well as 5th Avenue NW from 1st Street to 7th Street. There were three options or project scopes for these projects so the contractors could bid either the first two blocks of both streets, all of 5th Avenue and the first two blocks of 3rd, or do the first two blocks of both. The storm water issue on the entire NW side of town needs to be evaluated. Dave Rothschafer stated that the first 3rd Avenue are probably the worst. It seems like there are two issues that can be separated. Schechinger said that 5th Avenue from 1st to 2nd the entire street will be replaced and install storm sewer. The 2nd block curb and gutter is very close to the trees and is in relatively good condition. Since they are running the storm sewer out in the street to avoid any impact to the trees the curb and gutters will be left in there so only the center portion of the street will be replaced after the

utilities have been put in. Taylor said she received a letter from Steve Maurice who had concerns. He asks that before the City accepts any bids the project should be reviewed by the MVHPC which could also be reviewed by the State. If any suggestions or modifications are received and the engineers have complied a certificate of compliance could be issued to the City. Then the bid could be let thus allowing all contractors the opportunity to bid on the actual project. Schechinger said the MVHPC was consulted and the project received a Certificate of Appropriateness. The State was not consulted. Thompson made a motion to close the public hearing, seconded by Taylor. Carried all. Absent: Hampton. Taylor said the Sustainability Advisory Committee would like to start looking into the larger area and who could assist them. Schechinger said that he could be their point of contact. Bids will be received on July 27th at 4:00 p.m.

19. Report on bids and possible action to award contract for 2015 Water Treatment Plant Improvements. Discussion and possible action. Four bids were received for the project. The low bid of \$473,000.00 and an alternate bid of \$1,500.00 was submitted by Portzen Construction. The Engineer's estimate of cost for the project was \$600,000.00. It is the Engineer's recommendation to award the construction contract to Portzen Construction in the amount of the bid plus alternate bid for a total of \$474,500.00. Motion to accept the Engineer's recommendation was made by Roudabush, seconded by Taylor. Roll call vote. Carried all. Absent: Hampton.
20. Engineer Update Report. Dave Schechinger with V & K Engineering provided Council with an update on current projects: 3rd & 5th Ave Reconstruction bids will be received on July 27th. The project will be awarded to the low bidder at the August 3rd council meeting. Construction will begin in late August and be completed in June of 2016. The project will be bid with three project scopes so that it can be scaled back if bids come in over budget. Sewer Rehabilitation/Replacement: all work have been completed. Project closeout will follow if the televising shows that there are no issues with the installation. Water Plant Improvements: four bids were received on July 15th. The low bid was submitted in the amount of \$473,000.00 by Portzen Construction of Dubuque, Ia. They also submitted an alternate bid in the amount of \$1,500.00 to install new wiring to the blower and control panel. The estimated cost for improvements was previously discussed as \$600,000.00. Sidewalk Program: Because this project has not been discussed for a few years previous documents need to be reviewed and compiled. Discussions have concluded regarding personnel availability and the project approach to update the inventory forms. Quiet Zone: V&K has been working with Quiet Zone Technologies and will be filing a Notice of Intent with the Federal Administration concerning the installation of the quiet zone. Pool Filters: Work has begun to get pricing on replacement filters as well as rehabilitation cost for the existing filters.
21. Presentation from Public Works Director, Nick Nissen, on two projects on Lisbon Road. Discussion and possible action. Nissen submitted a quote of \$14,114.74 for 500' of 24" culvert with 5 intakes on Lisbon Road. The other project would be if the 1st project is accepted a driveway entrance would need to be replace after the culvert is placed through it. The cost of this is included in the quote. All work will be done by City staff. Roudabush made a motion to do the

Lisbon Road drainage project in the amount of \$14,114.74, seconded by Taylor. Carried all.
Absent: Hampton.

22. Old Business. None

23. New Business. None

As there was no further business to attend to the meeting adjourned, the time being 8:47, July 20, 2015.

Respectfully submitted,
Sue Ripke
City Clerk

Reviewed and approved,
Michael R. Beimer
City Administrator.